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MEMORANDUM

To: Ben Spinelli, Executive Director
Barry Ableman, Principal Planner
Office of Smart Growth

From: Eileen Swan, Executive Director
New Jersey Highlands Council

Date: August 31, 2007

Re: Holland Township Plan Endorsement Petition – Consistency Analysis

RECEIVED
2007 SEP -6 P 2:09
NJ DEPT OF
COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH

The Highlands Council staff would like to recognize the efforts of Holland Township to preserve existing farmland, woodlands, scenic views, steep slopes and natural resources from development and to adopt smart growth planning principles. We have reviewed the Holland Township Plan Endorsement Petition materials and recognize the extraordinary level of effort demonstrated by the Township in developing the Petition and supporting documentation.

The Highlands Council staff is also aware of the Holland Township Wastewater Management Plan and project specific amendment to the Water Quality Management Plan for Huntington Knolls that are pending review by the NJDEP and Highlands Council. The letter, dated March 20, 2007, from the Office of Smart Growth to Mayor O'Brien recognized preliminary consistency concerns such as a Statement of Planning Coordination with the Highlands Region and clarification regarding the relationship to the Highlands Regional Master Plan. Despite the major effort to date, at this time we must request that the State Planning Commission deem this Petition inconsistent, for the reasons set forth below:

- 1) As discussed in that March 20, 2007 letter, the existing Plan Endorsement Guidelines "require a statement of consistency of current land use regulations with applicable regional plans. The 2001 State Plan recognized the Highlands region as a Special Resource Area. Although the petition briefly describes the relationship of land use to the Highlands, it needs to be revised to address the consistency of current land use regulations with the goals, requirements, and policies of the Highlands draft Regional Master Plan." Additionally, the letter specified that the Highlands Water Protection and Planning Act specifically amended the Municipal Land Use Law (MLUL), at N.J.S.A. 40:55D-28, and modified the master plan

process for the entire Highlands Region, for both the Planning Area and Preservation Area, to require a policy statement indicating the relationship of the proposed development of Holland Township to the Regional Master Plan (RMP). This required policy statement in the MLUL is a separate and distinct requirement from the Highlands Act's requirements to conform in the Preservation Area and the option to conform in the Planning Area.

While the final Regional Master Plan is likely to include changes recommended during the public comment period, the draft RMP provides a sufficient basis to ensure that the direction, policies and decisions of the Highlands Council and the State Planning Commission are fully coordinated and as consistent as possible. Therefore, Highlands Council staff recommends that the Holland Township petition be required to include an evaluation of consistency with the draft RMP policies, Land Use Capability Map data layers, and supporting technical reports.

- 2) The petition includes identification of two proposed Hamlet Centers. From the Highlands Council staff's review of the two proposed Hamlet Centers, the petition does not include an adequate basis for center designation as required in Appendix 6.2 of the Plan Endorsement Guidelines. In addition, the delineation of the Hamlets does not support State Plan goals for smart growth principles in that the proposed Hamlets do not connect development with existing infrastructure and community facilities.
- 3) Lastly, the two proposed Hamlet Centers conflict with the draft RMP policies related to Highlands open waters and riparian corridor protection, the regionally significant resources of the Highlands Council's Protection Zone, and the development policies related to the Conservation Zone. The location of the proposed Hamlets does not support the existing developed lands within Holland Township and the existing areas served by sewer. The Petition also does not evaluate potential redevelopment opportunities in the Township that may be worthy of further consideration in support of municipal development initiatives. The Highlands Council stands ready to provide Holland Township with resource data and information in order to properly address these conflicts.

The Highlands Council very much appreciates the commitment and effort by Holland Township to advance the goals and policies of the State Development and Redevelopment Plan and believes that the work and actions of Holland Township, the State Planning Commission, and the Highlands Council will have maximum effect by being as consistent and coordinated as possible. Please feel free to contact Chris Danis on the Highlands Council staff if you have any questions.